REMARKS

In response to the Office Action dated December 31, 2007, please enter the following remarks. The Examiner indicated that the application is in condition for allowance except for the listed formal matters. Applicant acknowledges that the Examiner indicated that the application is in condition for allowance, and further believes that the listed formal matters have been addressed.

The Examiner objected to the application under 37 CFR 1.172(a) as the assignee has not established its ownership interest in the patent for which reissue is being requested. An *Assent by Assignee for Filing of Reissue Application*, signed by Mariann McNally, was originally submitted with an Amendment filed on November 24, 2003. A copy of this Assent, indicating that the Assignee owns an undivided interest to the original patent, is attached. Further, a statement under 37 CFR 3.73(b) that was also previously filed on November 24, 2003 states that Kelsey-Hayes Company is the assignee of the entire right, title and interest in U.S. Patent No. 5,941,608 and details the chain of title for this patent. Therefore, the assignee has established its ownership interest in the patent. Thus, this matter should not prevent allowance of the application.

The Examiner stated that there is no indication of record that the party who signed the submission is an appropriate party to sign on behalf of the assignee.

Applicant respectfully directs Examiner's attention to the August 4, 2005 Response to the Office Action dated February 4, 2005 in which this issue was addressed. The following text is copied from that response.

The Examiner has asserted that the person signing the submission establishing ownership interest, Mariann McNally, has failed to state his/her capacity to sign for the corporation or other business entity, and he/she has not been established as being authorized to act on behalf of the assignee.

Applicants respectfully disagree. Ms. McNally indicated her title to be "Assistant Secretary". She is a corporate officer of the Assignee corporation, with the apparent authority to sign, as denoted by her title. According to the MPEP § 324 (II) (A):

The submission may be signed by a person in the organization having apparent authority to sign on behalf of the organization. 37 CFR 3.73(b)(2)(ii). An officer (chief executive officer, president, vice-president, secretary, or treasurer) is presumed to have authority to sign on behalf of the organization. The signature of the chairman of the board of directors is acceptable, but not the signature of an individual director. Modifications of these basic titles are acceptable, such as vice-president for sales, executive vice-president, assistant treasurer, vice-chairman of the board of directors. (emphasis added)

Since the MPEP clearly indicates that the corporate title "Secretary" is presumed to have authority to sign on behalf of the organization, and that a modification of this basic title would be acceptable, and the MPEP even includes the modifier "assistant" among the modifiers specifically approved as acceptable, it is clear that, as Assistant Secretary, Ms. McNally has the apparent authority to sign on behalf of her organization, and she is not required to further establish her authority.

Nevertheless, Applicants have *previously supplied* a Statement Under 37 C.F.R. § 3.73(b), signed by Ms. McNally, which <u>indicates (above her signature)</u> that she is authorized to act on behalf of the assignee (see accompanying copy). Accordingly, the Examiner is requested to withdraw his requirement for another submission establishing ownership interest in the patent.

Therefore, the issue of whether the party who signed the submission is an appropriate party to sign on behalf of the assignee has been addressed. Thus, this matter should not prevent allowance of the application.

The Examiner further indicated that the application is defective because it fails to identify at least one error which is relied upon to support the reissue application.

Applicant respectfully directs Examiner's attention to the November 24, 2003

Response to the Office Action dated May 23, 2003 in which this issue was addressed. The following text is copied from that Response.

The Examiner has noted that the reissue oath/declaration with this application is defective because it fails to identify at least one error which is relied upon to support the reissue application. The reissue application declaration submitted without signature upon filing of this reissue application, and subsequently submitted with signatures February 28, 2002, includes a statement of inoperativeness or invalidity of original patent, pursuant to 37 CFR § 1.175. This statement, on page 3 of the reissue declaration, asserts that "I believe the original patent to be partly inoperative or invalid by reason of (37 CFR § 1.175(a)(1)): the patentee claiming more or less than the patentee had a right to claim." However, a description of the error relied upon was not included. Therefore, a supplemental declaration including a description of the error relied upon is submitted herewith.

A copy of the supplemental declaration including a description of the error relied upon is included with this Response. The issue of the error which is relied upon to support the reissue application has been addressed. Thus, this matter should not prevent allowance of the application.

Per the requirement of 37 CFR 1.178, the original patent is enclosed with this response.

Applicant acknowledges the initialed copy of the Information Disclosure Statement (IDS), included with the outstanding Office Action, which the Examiner has initialed and signed. However, Applicant observes that the Examiner failed to initial four of the entries listed as "Other Documents." Copies of the four documents were previously submitted with the Supplemental IDS dated September 24, 2007. A copy of the IDS and these references have been enclosed with this response for the Examiner's convenience. Applicant respectfully requests that the Examiner consider these references and initial and sign the IDS appropriately.

Respectfully submitted,

Jonathan D. Sandys Reg. No. 53,550

MacMillan, Sobanski & Todd, LLC One Maritime Plaza, Fifth Floor 720 Water Street Toledo, Ohio 43604 (419) 255-5900

FEB 0 7 2008

STATEMENTUNDER 37 CFR 3.73(b)

Applicant/PatentOwner: Gregory P. Campau, et al	·
Application No./Patent No.: 5,941,608	Filed/Issue Date: August 24, 1999
Entitled: ELECTRONICBRAKE MANAGMENTS	SYSTEM WITH MANUAL FAIL SAFE
Kelsey-Hayes Comapny	a Corporation,
(Name of Assignee)	(Type of Assignee, e.g., corporation, partnership, university, governmentagency, etc.)
states that it is:	
1. the assignee of the entire right, title, and interest	est; or
2. an assignee of less than the entire right, title a The extent (by, percentage) of its ownership in	
in the patent application/patentidentified above by virtu	e of either:
	ation/patentidentified above. The assignment was recorded in the United , Frame, or for which a copy thereof is attached.
OR ·	
B. [/] A chain of title from the inventor(s), of the patent applica	ation/patentidentified above, to the current assignee as shown below:
From: <u>Mark S. Luckevich</u> The document was recorded in the United States Reel <u>8983</u> Frame <u>0590</u> or for the states.	Patent and Trademark Office at
From: <u>Gregory P. Campau</u> The document was recorded in the United States Reel <u>8983</u> , Frame <u>0602</u> , or for the content of the content o	Patent and Trademark Office at
3. From: Thomas Weigert The document was recorded in the United States Reel 8983, Frame 0938, or for your content of the conte	
[] Additional documents in the chain of title are liste	ed on a supplemental sheet.
[\forall] Copies of assignments or other documents in the chain of the NOTE . A separate copy (i.e., the original assignment documents assignment Division in accordance with 37 CFR Part 3, if the second seco	ittle are attached. Iment or a true copy of the original document) must be submitted to the assignment is to be recorded in the records of the USPTO. <u>See MPEP</u>
The undersigned (whose title is supplied below) is authorized to	o act on behalf of the assignee.
<u>9-3-03</u>	Mariann McNally
Date	Typed or printed name
1-734-266-2663	Harautt Mally
Telephone number	Signature
	Assistant Secretary
The first field and the state of the state o	Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggstions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE D FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Greg Campau et al.))
Patent No.: 5,941,608) Group Art Unit 3683
Issue Date: August 24, 1999) Examiner: Christopher P. Schwartz
For: ELECTRONIC BRAKE MANAGEMENT SYSTEM WITH MANUAL FAIL-SAFE))) Attorney Docket 1-23339

STATEMENT UNDER 37 CFR 3.73(b)

Section B - Additional Documents in the Chain of Title

A chain of title, continued from the chain of title listed in the attached Statement Under 37 C.F.R. 3.73(b), from the inventor(s), of the patent identified above, to the current assignee as shown below:

4. From: <u>Blaise J. Ganzel</u> To: <u>Kelsey-Hayes Company</u>
The document was recorded in the United States Patent and Trademark Office at
Reel <u>9169</u>, Frame <u>0175</u>.

5. From: <u>Salvatore Oliveri, Robert L. Ferger, and Andrew W. Kingston</u> To: <u>Kelsey-Hayes Company</u> The document was recorded in the United States Patent and Trademark Office at Reel <u>9720</u>, Frame <u>0638</u>.



ASSENT BY ASSIGNEE FOR FILING OF REISSUE APPLICATION

NOTE: The written assent of all assignees, if any, owning an undivided interest in the original patent must be included in the application for reissue. 37 C.F.R. 1.172(a).

This is part of the application for a reissue patent filed herewith based on the original patent identified as follows:

Name of Patentee	
5,941,608	August 24, 1999
Patent Number	Date Patent Issued
Electronic Brake Management Syste	em With Manual Fail Safe
Title of Invention	
I am an assignee owning	And the second s
an undivided interest to the above	ve original patent.
a% (per cent) Interest in	
·	the above original patent.
I assent to the filing of Reissue Applicatio	on No. 09/939,509, filed August 24, 2001, for August 24, 1999, and to the subject matter in
I assent to the filing of Reissue Applications of U.S. Patent No. 5,941,608, issued Amendment submitted herewith. Attached is shing the right of assignee to take action.	on No. 09/939,509, filed August 24, 2001, for August 24, 1999, and to the subject matter in
I assent to the filing of Reissue Applications sue of U.S. Patent No. 5,941,608, issued Amendment submitted herewith. Attached is	on No. 09/939,509, filed August 24, 2001, for August 24, 1999, and to the subject matter in
I assent to the filing of Reissue Applications of U.S. Patent No. 5,941,608, issued Amendment submitted herewith. Attached is shing the right of assignee to take action. Kelsey-Hayes Company	on No. 09/939,509, filed August 24, 2001, for August 24, 1999, and to the subject matter in
I assent to the filing of Reissue Applications of U.S. Patent No. 5,941,608, issued Amendment submitted herewith. Attached is shing the right of assignee to take action. Kelsey-Hayes Company	on No. 09/939,509, filed August 24, 2001, for August 24, 1999, and to the subject matter in
I assent to the filing of Reissue Applications use of U.S. Patent No. 5,941,608, issued Amendment submitted herewith. Attached is ishing the right of assignee to take action. Kelsey-Hayes Company Name of assignee Mariann McNally	on No. 09/939,509, filed August 24, 2001, for August 24, 1999, and to the subject matter in a statement under 37 C.F.R. 3.73(b), Date: 9-3-03
I assent to the filing of Reissue Applications as a function of U.S. Patent No. 5,941,608, issued Amendment submitted herewith. Attached is shing the right of assignee to take action. Kelsey-Hayes Company Name of assignee Additional or assignee Signature of person signing for assignee	Date: 9-3-03

REISSUE APPLICATION SUPPLEMENTAL DECLARATION (BY INVENTOR(S) OR ASSIGNEE)

NOTE: For any error corrected, which is not covered by the declaration previously submitted in the reissue application, a supplemental declaration must be submitted, before allowance, stating that every such error arose without any deceptive intention on the part of the applicant.

(complete A or B)

A. DECLARATION BY THE INVENTOR(S)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is described and claimed in letters patent number $\frac{5941608}{24/99}$, and in the subject matter in the amendment

Esubmitted herewith, and for which a reissue patent is sought on the invention entitled "ELECTRONIC BRAKE MANAGEMENT SYSTEM WITH MANUAL FAIL SAFE," the specification of which was filed on August 24, 2001, as reissue application number 09/939,509.

B. DECLARATION BY ASSIGNEE

and for which invention I solicit a reissue patent.

to enlarge the scope of the claims of the origin	nal patent. 37 C.F.R. § 1.172.
(type or print name of declarant)	Title
of	٠.
Name of company or legal entity on whose behalf d	eclarant is authorized to sign
declare that I am a citizen of	and resident of
that the en	
to	
inventor(s)	• •
	company or legal entity
that I believe said named inventor(s) to be an name is listed) or an original, first and part invermatter that is described and claimed in the afgranted on and in the subject materials are submitted herewith,	ntor (if plural names are listed) of the subject oresaid letters patent number
☐ filed on	•

(Reissue Application Supplemental Declaration [17-6.4]—page 1 of 5)

COPY

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR (37 C.F.R. § 1.175)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, I acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

In compliance with this duty, there is attached an information disclosure statement in accordance with 37 C.F.R. § 1.98.

STATEMENT OF INOPERATIVENESS OR INVALIDITY OF ORIGINAL PATENT (37 C.F.R. § 1.175)

	OF ORIGINAL PATENT (37 C.F.R. § 1.175)
I verily bel	ieve the original patent to be:
` & p:	artiy
□ w	holly
inoperative o	or invalid by reason of (37 C.F.R. § 1.175(a)(1)):
	(check all items that may apply)
□ a	defective specification
□a	defective drawing
	e patentee claiming more or less than the patentee had a right to claim in the atent.
state are n	est one error must be relied upon as the basis for the reissue. 37 C.F.R. § 1.175(a)(1). Having once d an error upon which the reissue is based, unless all errors previously stated in the declaration o longer being corrected, a subsequent declaration need not specifically identify any other error(s) or corrected. 37 C.F.R. § 1.175(c).
of this reissu	rror(s) listed above, which is/are being corrected, up to the time of the filing e supplemental declaration, arose without any deceptive intention on the part ant. (37 C.F.R. § 1.175(a)(2)).
C	orroborating statements of others accompany this declaration.

(Reissue Application Supplemental Declaration [17-6.4]-page 2 of 5)



STATEMENT OF INOPERATIVENESS OR INVALIDITY OR INVALIDITY OF ORIGINAL PATENT (continued)

The attorney of record failed to appreciate the full scope of the invention in that the attorney of record failed to appreciate that an aspect of the invention was that the backup source of pressurized hydraulic fluid, which may be a master cylinder, supplied two fluid conduits (or two brake circuits), each supplying a respective one of two brakes on a vehicle axle. None of the claims of the issued patent are directed to this patentable aspect of the invention, as patentee had a right to claim.

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(Reissue Application Supplemental Declaration [17-6.4]—page 3 of 5)



SIGNATURE(S)

BY THE INVENTOR(S)	
Full name of sole or first inventor Gregory P. Campau	
Inventor's signature Acquire Com	
Date <u>BSTUS</u> Country of Citizenship <u>U.S.</u>	
Residence 47881 Thoreau, Plymouth, Michigan 48170	
Post Office Address Same	
Full name of second joint inventor, if any Andrew W. Kingston	·
Inventor's signature Great Britain	
Date 2/4/03 Country of Cluzenship	
Residence IM HULL ESTEMP 8 56323 WALDESCH, C	SERANANY.
Post Office Address	
BY ASSIGNEE OR PERSON AUTHORIZED TO SIGN ON BEHALF OF ASSIGNEE NOTE: Even though inventor(s) do not sign, complete above information for inventor(s).	<u>-</u>
(complete the following, if applicable)	
(type name of assignee)	
Address of assignee	
Title of person authorized to sign on behalf of assignee	
Assignment recorded in P.T.O. on Reel Frame	
☐ A separate	
□ "ASSIGNMENT (DOCUMENT) COVER SHEET"	
or	
FORM PTO 1595	
is submitted herewith along with the assignment.	

(Reissue Application Supplemental Declaration [17-6.4]-page 4 of 5)



Full name of third inventor: Robert	L. Ferger	
Inventor's signature		Date:
Residence:		
Citizenship: Germany	Post Office Address: Same	·
Full name of fourth inventor:Thoma	as Weigert	
Inventor's signature		Date:
	Post Office Address:	
Full name of fifth inventor: Salvato	ore Oliveri	•
	Post Office Address:	• •
Full name of sixth inventor: Blaise	I Ganzel	
Inventor's signature 13 lase		Date: 8-569-03
Residence: 3317 Alton Court, Ann	1 3	Date. <u>Cr 2C7 = C3</u>
Citizenship: U.S.		
Citizenship. O.S.	Post Office Address: Same	
Full name of seventh inventor: Mark S	S. Luckeyich	
Inventor's signature	July	Date: <u>Sept. 10. 2003</u>
Residence: 3400 Pittsview Drive, A	Ann Arbor, Michigan 48108	•
Citizenship: U.S.	Post Office Address: Same	





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REISSUE APPLICATION SUPPLEMENTAL DECLARATION (BY INVENTOR(S) OR ASSIGNEE)

NOTE: For any error corrected, which is not covered by the declaration previously submitted in the reissue application, a supplemental declaration must be submitted, before allowance, stating that every such error arose without any deceptive intention on the part of the applicant.

(complete A or B)

A. DECLARATION BY THE INVENTOR(S)

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is described and claimed in letters patent number $\frac{5941608}{5941608}$, granted on $\frac{8/24/99}{1000}$, and in the subject matter in the amendment

A submitted herewith, and for which a reissue patent is sought on the invention entitled "ELECTRONIC BRAKE MANAGEMENT SYSTEM WITH MANUAL FAIL SAFE," the specification of which was filed on August 24, 2001, as reissue application number 09/939,509.

B. DECLARATION BY ASSIGNEE

NOTE: The assignee of the entire interest may make the declaration, if the reissue application does not seek to enlarge the scope of the claims of the original patent. 37 C.F.R. § 1.172.

(type or print name of declarant)	Title
of Name of company or legal entity on whose behalf decis	rant is authorized to sign
declare that I am a citizen of that the entire	title to letters patent number
to Inventor(s)	
is vested in	
Name of com	pany or legal entity
that I believe said named inventor(s) to be an orname is listed) or an original, first and part inventormatter that is described and claimed in the afore granted on, and in the subject matter	r (if plural names are listed) of the subject said letters patent number
submitted herewith,	
☐ filed on	
and for which invention I solicit a reissue patent.	

(Reissue Application Supplemental Declaration [17-8.4]-page 1 of 5)

COEN

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR (37 C.F.R. § 1.175)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, I acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

☐ in compliance with this duty, there is attached an information disclosure statement in accordance with 37 C.F.R. § 1.98.

STATEMENT OF INOPERATIVENESS OR INVALIDITY

	OF ORIGINAL PATENT (37 C.F.R. § 1.175)
i verily	believe the original patent to be:
四	partiy
	wholly
noperativ	ve or invalid by reason of (37 C.F.R. § 1.175(a)(1)):
	(check all items that may apply)
	a defective specification
	a defective drawing
X	the patentee claiming more or less than the patentee had a right to claim in the patent.
4	At least one error must be relied upon as the basis for the reissue. 37 C.F.R. § 1.175(a)(1). Having once stated an error upon which the reissue is based, unless all errors previously stated in the declaration are no longer being corrected, a subsequent declaration need not specifically identify any other error(a) being corrected. 37 C.F.R. § 1.175(c).
of this re	e error(s) listed above, which is/are being corrected, up to the time of the filing issue supplemental declaration, arose without any deceptive intention on the partiplicant. (37 C.F.R. § 1.175(a)(2)).
	Corroborating statements of others accompany this declaration.

(Reissue Application Supplemental Declaration [17-6.4]-page 2 of 5)



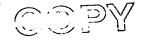
STATEMENT OF INOPERATIVENESS OR INVALIDITY OF ORIGINAL PATENT (continued)

The attorney of record failed to appreciate the full scope of the invention in that the attorney of record failed to appreciate that an aspect of the invention was that the backup source of pressurized hydraulic fluid, which may be a master cylinder, supplied two fluid conduits (or two brake circuits), each supplying a respective one of two brakes on a vehicle axle. None of the claims of the issued patent are directed to this patentable aspect of the invention, as patentee had a right to claim.

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(Reissue Application Supplemental Declaration [17-6.4]—page 3 of 5)



SIGNATURE(S)

BY THE INVENTOR(S)
Full name of sole or first inventor Gregory P. Campau
Inventor's signature
DateCountry of Citizenship U.S.
Residence 47881 Thoreau, Plymouth, Michigan 48170
Post Office Address Same

Full name of second joint inventor, if any Andrew W. Kingston
Inventor's signature
DateCountry of Citizenship Great Britain
Residence
Post Office Address
(complete the following, if applicable) (type name of assignee)
Address of assignee
Title of person authorized to sign on behalf of assignee
Assignment recorded in P.T.O. on Reel Frame
☐ A separate
☐ "ASSIGNMENT (DOCUMENT) COVER SHEET"
or
☐ FORM PTO 1595
is submitted herewith along with the assignment

(Reissue Application Supplemental Declaration [17-6.4]—page 4 of 5)

· CIPY.

Full name of third inventor: Robert L. Ferger	
Inventor's signature Robert 1. Jan	Date: 10/30/2003
Residence: Schutzingerstrasse 16, 71665 Faihingen-Enz,	Germany
Citizenship: Germany Post Office Address: Same	
Full name of fourth inventor:Thomas Weigert	
Inventor's signature	
Residence:	
Citizenship: Germany Post Office Address:	
<u>:</u>	
Full name of fifth inventor: Salvatore Oliveri	
Inventor's signature	
Residence:	
Citizenship: Italy Post Office Address:	
	,
Full name of sixth inventor:Blaise J. Ganzel	
Inventor's signature	Date:
Residence: 3317 Alton Court, Ann Arbor, Michigan 48105	
Citizenship: U.S. Post Office Address: Same	
Full name of seventh inventor: <u>Mark S. Luckevich</u>	
nventor's signature	
Residence: 3400 Pittsview Drive, Ann Arhor, Michigan 48108	
Citizenship: U.S. Post Office Address: Same	





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REISSUE APPLICATION SUPPLEMENTAL DECLARATION (BY INVENTOR(S) OR ASSIGNEE)

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(complete A or B)

A. DECLARATION BY THE INVENTOR(S)

and for which invention I solicit a reissue patent.

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is described and claimed in letters patent number $\frac{5941608}{99}$, granted on $\frac{8/24/99}{9}$, and in the subject matter in the amendment

Submitted herewith, and for which a reissue patent is sought on the invention entitled "ELECTRONIC BRAKE MANAGEMENT SYSTEM WITH MANUAL FAIL SAFE," the specification of which was filed on August 24, 2001, as reissue application number 09/939,509.

(type or print name of declarant)	Title
of Name of company or legal entity on whose behalf of	eclarant is authorized to sign
that the en	and resident of tire title to letters patent number granted on
to Inventor(s) is vested in	company or legal entity
that I believe said named inventor(s) to be an name is listed) or an original, first and part invermatter that is described and claimed in the at granted on, and in the subject materials.	original, first and sole inventor (if only one notor (if plural names are listed) of the subject oresaid letters patent number
submitted herewith,	

(Reissue Application Supplemental Declaration [17-6.4]—page 1 of 5)



ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR (37 C.F.R. § 1.175)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, I acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

In compliance with this duty, there is attached an information disclosure statement in accordance with 37 C.F.R. § 1.98.

STATEMENT OF INOPERATIVENESS OR INVALIDITY OF ORIGINAL PATENT (37 C.F.R. § 1.175)

OF ORIGINAL PATENT (37 C.F.R. § 1.175)
I verily believe the original patent to be:
partty
□ wholly
noperative or invalid by reason of (37 C.F.R. § 1.175(a)(1)):
(check all items that may apply)
a defective specification
a defective drawing
the patentee claiming more or less than the patentee had a right to claim in the patent.
NOTE: At least one error must be relied upon as the basis for the reissue. 37 C.F.R. § 1.175(a)(1). Having once stated an error upon which the reissue is based, unless all errors previously stated in the declaration are no longer being corrected, a subsequent declaration need not specifically identify any other error(s) being corrected. 37 C.F.R. § 1.175(c).
That the error(s) listed above, which is/are being corrected, up to the time of the filing of this reissue supplemental declaration, arose without any deceptive intention on the part of the applicant. (37 C.F.R. § 1.175(a)(2)).
☐ Corroborating statements of others accompany this declaration.

(Reissue Application Supplemental Declaration [17-6.4]—page 2 of 5)



STATEMENT OF INOPERATIVENESS OR INVALIDITY OF ORIGINAL PATENT (continued)

The attorney of record failed to appreciate the full scope of the invention in that the attorney of record failed to appreciate that an aspect of the invention was that the backup source of pressurized hydraulic fluid, which may be a master cylinder, supplied two fluid conduits (or two brake circuits), each supplying a respective one of two brakes on a vehicle axle. None of the claims of the issued patent are directed to this patentable aspect of the invention, as patentee had a right to claim.

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(Reissue Application Supplemental Declaration [17-6.4]—page 3 of 5)



SIGNATURE(S)

	BY THE INVENTOR(S)
Full name	of sole or first inventor Gregory P. Campau
	's signature
	Country of CitizenshipU.S.
Residence	47881 Thoreau, Plymouth, Michigan 48170
Post Offic	e Address Same
Full name	of second joint inventor, if any Andrew W. Kingston
	's signature
Data	Country of Citizenship Great Britain
)
	ee Address
	BY ASSIGNEE OR PERSON AUTHORIZED TO SIGN ON BEHALF OF
	ASSIGNEE
NOTE: E	ven though inventor(s) do not sign, complete above information for inventor(s).
,	
	(complete the following, if applicable)
	·
	(type name of assignee)
•	
	Address of assignee
Title	of person authorized to sign on behalf of assignee
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	Assignment recorded in P.T.O. on Reel Frame A separate "ASSIGNMENT (DOCUMENT) COVER SHEET"

(Reissus Application Supplemental Declaration [17-6.4]—page 4 of 5)

COPY

Full name of th	ird inventor:	Robert L. Ferger	
Inventor's signa	ature		Date:
Citizenship:	Germany	Post Office Addre	ess: Same
		Thomas Weigert	
Inventor's sign	ature	Angio Warner	Date: 31.10.03
Residence:	Am Low	back 26, 6584	3 Surabala, Germany
Citizenship:	Germany	Post Office Address:	·
			•
Full name of fi	fth inventor:	Salvatore Oliveri	
Inventor's sign	ature		Date:
Residence:	·		
Citizenship:	Italy	Post Office Address:	
		·	
Full name of si	xth inventor:	Blaise J. Ganzel	
	•		
Residence:	3317 Alton Co	ırt, Ann Arbor, Michigan 48105	
Citizenship:	U.S.	Post Office Address:	Same
Full name of se	eventh inventor:	Mark S. Luckevich	· · · · · · · · · · · · · · · · · · ·
			•
Residence:	3400 Pittsview	Drive, Ann Arbor, Michigan 4810	8
Citizenship:	U.S.	Post Office Address: S	Same

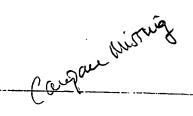


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REISSUE APPLICATION SUPPLEMENTAL DECLARATION (BY INVENTOR(S) OR ASSIGNEE)

NOTE: For any error corrected, which is not covered by the declaration previously submitted in the relissue application, a supplemental declaration must be submitted, before allowance, stating that every such error arose without any deceptive intention on the part of the applicant.

(complete A or B)

A. M DECLARATION BY THE INVENTORIS)

and for which invention I solicit a reissue patent.

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is described and claimed in letters patent number 5941608, granted on 8/24/99, and in the subject matter in the amendment

Submitted herewith, and for which a reissue patent is sought on the invention entitled "ELECTRONIC BRAKE MANAGEMENT SYSTEM WITH MANUAL FAIL SAFE," the specification of which was filed on August 24, 2001, as reissue application number 09/939,509.

nype ar	print name c	of declarant)			Titie	
of Warrant						
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that I believ	e sald name	ed inventor(s) to t	e an origi	nal first a	nd sole im	entor (if only

Reissue Application Supplemental Declaration (17-6.4)--page 1 of 5)



ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR (37 C.F.R. § 1.175)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, I acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent.

In compliance with this duty, there is attached an information disclosure statement in accordance with 37 C.F.R. § 1.98.

STATEMENT OF INOPERATIVENESS OR INVALIDITY OF ORIGINAL PATENT (37 C.F.R. § 1.175)

		OF CHIGHER PAIRNI (37 C.F.M. 9 1.175)
l ver	ily	believe the original patent to be:
1	23	partly
ŧ		wholly
inopera	ativ	e or Invalid by reason of (37 C.F.R. § 1.175(a)(1)):
	•	(check all items that may apply)
1		a defective specification
1		a defective drawing
ı	X	the patentee claiming more or less than the patentee had a right to claim in the patent.
NOTE:	24	t least one error must be relied upon as the basis for the relissue, 37 C.F.R. § 1.175(a)(1). Having onci ated an error upon which the relissue is based, unless all errors previously stated in the declaration to no longer being corrected, a subsequent declaration need not specifically identify any other errors aing corrected. 37 C.F.R. § 1.175(c).
	reis	e error(s) listed above, which is/are being corrected, up to the time of the filing sue supplemental declaration, arose without any deceptive intention on the particant. (37 C.F.R. § 1.175(a)(2)).
(3	Corroborating statements of others accompany this declaration

(Reissue Application Supplemental Declaration [17-6.4]—page 2 of 5)



STATEMENT OF INOPERATIVENESS OR INVALIDITY OR INVALIDITY OF ORIGINAL PATENT (continued)

The attorney of record failed to appreciate the full scope of the invention in that the attorney of record failed to appreciate that an aspect of the invention was that the backup source of pressurized hydraulic fluid, which may be a master cylinder, supplied two fluid conduits (or two brake circuits), each supplying a respective one of two brakes on a vehicle axle. None of the claims of the issued patent are directed to this patentable aspect of the invention, as patentee had a right to claim.

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

(Reissue Application Supplemental Declaration [17-6.4]—page 3 of 5)



SIQNATURE(S)

E BY THE INVENTOR(S) Full name of sole or first inventor. Gregory P. Campau
Inventor's signature
DateCountry of Citizenship _U.S.
Residence 47881 Thoreau, Plymouth, Michigan 48170
Post Office Address Same
Full name of second joint inventor, if any Andrew W. Kingston
Inventor's signature 1000 Must
Date 3/11/03 Country of Citizenship Great Britain
Residence IM WOLLESUMP 8 56323 WALDESCH, GERMANY,
Post Office Address
☐ BY ASSIGNEE OR PERSON AUTHORIZED TO SIGN ON BEHALF OF
ASSIGNEE
NOTE: Even though inventor(s) do not sign, complete above information for inventor(s).
(complete the following, if applicable)
(type name of assignes)
(type name of assignes)
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(Raissue Application Supplemental Declaration (17-6.4)—page 4 of 5)

